

REMARKS

The applicants appreciate the Examiner's thorough examination of the Application and request reexamination and reconsideration of the application in view of the following remarks.

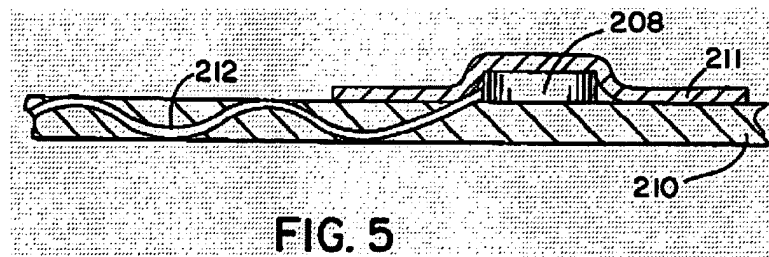
The Examiner maintains the rejection of claims 31-35 and 37-38 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,602,928 to *Eriksson et al.*, and claim 36 under 35 U.S.C. §103(a) as being unpatentable over *Eriksson* in view of U.S. Patent No. 6,760,454 to *Shreve et al.*

Independent claim 31 of the subject application is directed to a handfree-set for mounting on the safety belt of an automotive vehicle comprising a microphone, the microphone provided at the side of the microphone facing the belt with contacts for contacting counter-contacts which are provided on the belt and connected to conducting filaments which are woven into the belt and are designed as connecting conductors in the form of metal filaments or strands which lead from the counter-contacts to an electronic circuit, and fastening plates arranged at both sides of the belt and connected to one another through an opening in the belt in a non-rotational manner with respect to the belt, the counter-contacts being mounted on the fastening plate at the microphone side and connected through said fastening plate to said conducting filaments.

The Examiner alleges that *Eriksson* discloses "counter-contacts which are provided on the belt and connected to conducting filaments (See Fig. 4 and connection wire 212), which are woven (e.g., enmeshed) into the belt ... and which lead from said counter-contacts to an electronic circuit (See col. 6 lines 6-21)." See Paragraph 3 of the Office Action. The Examiner admits that *Eriksson* fails to disclose fastening plates as claimed by the applicants, and alleges that:

Eriksson does disclose a seatbelt interlock/seatbelt anchor 213 that is arranged on the belt (See Fig. 4, shoulder harness 206, and mesh belt 210), to provide feedback information confirming deployment of the belt, said counter-contacts being mounted on the seatbelt interlock/seatbelt anchor at the microphone side and connected through the seatbelt interlock/seatbelt anchor to said conducting filaments (See Fig. 4, Fig. 5, and col. 6 lines 6-21). Therefore, the seatbelt interlock/seatbelt anchor 213 is performing similar functions as that of the claimed fastening plate. (Paragraph 3 of the Office Action.)

Eriksson discloses an error microphone 208 which is either embedded in mesh belt 210 or mounted thereto by a sound transmissive layer or tape member 211 and has a connection wire 212 running along the belt and enmeshed therein. Wire 212 may be connected to a seatbelt interlock 213 such as the seatbelt anchor to provide feedback information concerning deployment of the belt. See Col. 6, lines 6-16 and Fig. 4 of *Eriksson*. This is clearly shown in Fig. 5 of *Eriksson*, which is a sectional view of Fig. 4 of *Eriksson* and is reproduced below.



As noted above, the applicants' claimed invention includes a microphone with contacts on one side which contact counter-contacts which are mounted on a fastening plate and are connected through the fastening plate to the conducting filaments.

Contrary to the applicants' claimed invention, the microphone of *Eriksson* is directly connected to the connection wire 212. See Fig. 5 of *Eriksson* reproduced above. Further,

Eriksson fails to disclose contacts on the microphone which touch counter-contacts on the fastening plate as claimed by the applicants. The Examiner asserts that seatbelt interlock 213 of *Eriksson* is equivalent to the fastening plates of the claimed invention. However, as shown in Fig. 4 of *Eriksson*, microphone 208 and seatbelt interlock 213 are disposed such that it would be impossible for contacts on the microphone to touch counter-contacts on the seatbelt interlock. Microphone 208 and seatbelt interlock 213 are located on different portions of the seatbelt and do not contact each other at all.

Therefore, the applicants submit that *Eriksson* fails to disclose fastening plates, contacts and counter-contacts as claimed by the applicants.

Additionally, seatbelt interlock 213 of *Eriksson* does not perform similar functions as that of the claimed fastening plates. Seatbelt interlock 213 of *Eriksson* is designed to fix the belt to the car body and to provide feedback information confirming deployment of the belt and the presence of an occupant at the respective location. *See* Col. 6, lines 17-21 of *Eriksson*.

As the microphone of the claimed invention connects to the conducting filaments by contact of the contacts of the microphone with the counter-contacts of the fastening plate, a damaged microphone can be removed and replaced without having to disrupt the conducting filaments. The connection between the new microphone and the conducting filaments is realized when the contacts of the new microphone touch the counter-contacts mounted on the fastening plate.

By means of the two fastening plates being connected in a non-rotational manner with respect to the belt 10, any damage to the connection between the counter-contacts on the one hand and the conducting filaments on the other hand are reliably prevented.

The above mentioned features and functions of the counter-contacts and the fastening plates of the subject invention have absolutely no similarities with the features and functions of the seatbelt interlock/seatbelt anchor of *Eriksson*. The seatbelt interlock/seatbelt anchor is designed to fix the belt - at a special and variable portion thereof - to the car body, whereas the fastening plates and the counter-contacts of the subject invention are designed to removably mount the microphone to a belt, to establish a connection between the output side of the microphone and the conducting filaments, and to prevent any damage of the connection between the output side of the microphone and the conducting filaments woven into the belt.

Accordingly, the applicants submit that seatbelt interlock 213 of *Eriksson* is not an equivalent to the claimed fastening plates disposed on both sides of the belt and connected to each other in a non-rotational manner through an opening in the belt or to counter-contacts mounted on the fastening plate at the microphone side and connected to the conducting filaments.

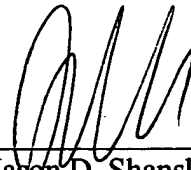
Therefore, for at least these reasons, the applicant submits that *Eriksson* fails to disclose all of the elements of applicant's independent claim 31, and that claim 31 and its dependent claims are patentable over the references.

Additionally, *Eriksson* fails to disclose the additional features of the dependent claims of the subject application. Specifically, *Eriksson* does not disclose a cup shaped housing which accommodates the microphone (claim 34); *Eriksson* fails to disclose specific types of contacts or counter-contacts whatsoever as claimed by the applicants (claims 33 and 35); and *Eriksson* fails to disclose a change-over switch or determination of belt extension length (claims 37 and 38). Accordingly, the dependent claims are patentable for these additional reasons.

Each of the Examiner's rejections have been addressed or traversed. Accordingly, it is respectfully submitted that the application is in condition for allowance. Early and favorable action is respectfully requested.

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned or his associates collect in Waltham, Massachusetts, at (781) 890-5678.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JDS', written over a horizontal line.

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